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14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 EMILIO ESTEVEZ,

17 Plaintiff,

18 v.

19 SAMANTHA POWER, Administrator of
20 the United States Agency for International
21 Development, LEILA EL GOHARY,
22 Executive Secretary, Office of the
23 Administrator United States Agency for
24 International Development, JASON M.
25 FRIERSON, United States Attorney for the
26 District of Nevada, MERRICK
27 GARLAND, United States Attorney
28 General, United States Department of
Justice, UNITED STATES
DEPARTMENT OF STATE, FOREIGN
SERVICE GRIEVANCE BOARD, Attn.
Katherine Kaetzer-Hodson, Executive
Secretary,

Defendant(s).

Case No. 2:23-cv-00846-RFB-MDC

**Stipulation to Extend Deadline to
Submit Defendant's Reply in Support of
Motion to Dismiss (ECF No. 21) and
file a Response to Plaintiff's Motion to
Amend Complaint (ECF No. 34)
(Second Request)**

23 Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Rule IA 6-1 of
24 this Court's Local Rules, the parties, through undersigned counsel, stipulate to a 30-days
25 extension, from February 15, 2024, to March 18, 2024, for Federal Defendants to file their
26 reply brief in support of the Motion to Dismiss (ECF No. 21) and a 30-days extension,
27 from February 13, 2024, to March 14, 2024 for Federal Defendants to file a response to
28 Plaintiff's Alternative Motion to Amend First Amended Complaint. This is the second

1 extension of the reply deadline, and a first extension of the response deadline.

2 On January 18, 2024, Plaintiff filed his response to Defendant's Motion to Dismiss
3 and an Alternative Motion to Amend First Amended Complaint (ECF No. 30). The Court
4 directed Plaintiff to file his Motion to Amend Complaint as a separate Motion. Plaintiff
5 filed a Notice of Corrected Image on January 30, 2024 (ECF No. 34). The current deadline
6 for Federal Defendants to file a reply to Plaintiff's Response (ECF No. 30) is February 15,
7 2024, and the deadline to file a response to Plaintiff's Alternative Motion to Amend First
8 Amended Complaint (ECF No. 34) is February 13, 2024. On February 6, 2024, both
9 counsels conferred by email and agreed that due to their heavy workload an extension of 30
10 days will provide the necessary time for the Federal Defendants to file a reply in support of
11 their Motion to Dismiss and a response to Plaintiff's Alternative Motion to Amend First
12 Amended Complaint. Undersigned defense counsel has Plaintiffs' depositions scheduled in
13 other matters and briefs, including a response to motion for judgment on the pleadings and
14 a motion for summary judgment.

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1 Accordingly, the parties, through undersigned counsel, stipulate and request that the
2 Court approve a 30-days extension of time, from February 15, 2024, to March 18, 2024, for
3 Federal Defendants to file their reply brief in support of the Motion to Dismiss (ECF No.
4 21) and a 30-days extension, from February 13, 2024, to March 14, 2024 for Federal
5 Defendants to file a response to Plaintiff's Alternative Motion to Amend First Amended
6 Complaint.

7 This request for an extension of time is not sought for any improper purpose
8 including delay.

9 Respectfully submitted this 8th day of February 2024.

10 MULLINS & TRENCHAK,
11 ATTORNEYS AT LAW

12 /s/ Philip J. Trenchak
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23 IT IS SO ORDERED:

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED: February 9, 2024